



WEB COPY

WP No. 16791 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 16791 of 2025

and

WMP Nos.19034, 19035 & 54892 of 2025

A.Natarajan
S/o.P.Arumugam,
No.39,Gandhi Road,
Pazanipettai, Arakkonam-631 002,
Vellore District.

..Petitioner(s)

Vs

1. The State of Tamilnadu,
Rep by its Secretary,
School Education Department,
Secretariat, Chennai-9
2. The Director
School Education Department,
College Road, DPI Campus,
Chennai-6
3. The Joint Director of
School Education Department
(Paniyalar Thoguthi)
College Road, DPI Campus,
Chennai-6



4. The District Educational Officer,
District Educational Office,
Ranipet, Ranipet District.

..Respondent(s)

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for entire records, pertaining to the order dated 27.03.2025 in Na.Ka.Enn.028864/W3/E2/2017 and to quash the same and direct the respondents to change his date of birth in his school records as well as service records as 14.03.1966 instead of 14.03.1965 and further direct the respondents to extend his date of superannuation one year by taking in to consideration of his original date of birth as 14.03.1966.

For Petitioner(s): M/s. A. Gouthaman

For Respondent(s): Mrs.Mythreye Chandru
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned order dated 27.03.2025 and consequently, directing the respondents to change his date of birth in his school records as well as service records as 14.03.1966 instead of 14.03.1965 and further direct the respondents to extend his date of superannuation one year by taking in to consideration of his original date of birth as 14.03.1966.



2.The learned counsel appearing for the petitioner would submit that the petitioner belonged to the Most Backward Class. He was appointed as Junior School Assistant on 01.07.2004, temporarily for a period of five years and joined service at Government High School, Ganapathipuram in Vellore District on 08.07.2004. His date of birth was entered as 14.03.1965 in the school records based on the declaration made by his grand mother to the School Authorities at the time of his admission. Subsequently, the petitioner came to know that his actual date of birth is 14.03.1966. Thereupon, the petitioner immediately applied for his birth certificate before the Commissioner of Municipality, Arakkonam and the same was issued on 01.09.2008. As per the birth certificate issued by the Arakkonam Municipality, his correct date of birth is 14.03.1966. After coming to know of the said fact, the petitioner, within the period of limitation, made a representation on 05.09.2008 to the 2nd respondent seeking alteration of his date of birth from 14.03.1965 to 14.03.1966 in both his school records and service records, by enclosing the birth certificate issued by the Commissioner of Municipality, Arakkonam. However, the respondents kept the said representation pending without any consideration for more than a decade. Consequently, the petitioner filed a writ petition in W.P No.19718 of 2017 before this Court, and this Court, by order dated 21.09.2022, directed the respondents to furnish all the details to the competent revenue authority for the purpose of conducting an enquiry under Rule 49 of the Tamil



Nadu States and Subordinate Service Rules, who in turn has to conduct an enquiry and submit a report, enabling the respondents to consider the petitioner's case to alter his date of birth. Pursuant thereto, an enquiry was conducted by the Revenue Divisional Officer and a report was submitted to the authorities confirming that the petitioner's actual date of birth is 14.03.1966. However, despite the said report and the directions issued by this Hon'ble Court, the petitioner's date of birth has not been changed till date. If the correct date of birth is recorded in favour of the petitioner, he would retire only on 31.03.2026. However, the petitioner was relieved from service on 13.03.2025, after being granted two month extension upto 31.05.2025. Accordingly, he prayed for appropriate orders.

3.The learned Special Government Pleader appearing for the respondents filed a counter affidavit, wherein, in paragraph 4, it is stated as follows:

4. It is further submitted that the petitioner had earlier filed a writ petition in W.P No.19718 of 2017 seeking to change the petitioner's date of birth in his service records as 14.03.1966 instead of 14.03.1965 and to extend his date of superannuation and the Hon'ble Court disposed the writ petition on 21.09.2022 with the following directions:



“6. The learned Additional Government Pleader made a submission that the enquiry regarding the date of birth is to be conducted by the Revenue Officials under Rule 49 of the Tamil Nadu States and Subordinate Service Rules, thus, the respondents have to furnish all the available details to the competent Revenue Authority for the purpose of conducting an enquiry under Rule 49, who in turn has to conduct an enquiry and submit a report, enabling the respondents to consider the case of the writ petitioner.

7. With the above directions, this writ petition stands disposed of. No costs”.

4. Heard the learned counsel on either side and perused the materials available on record.

5. It is an undisputed fact that the petitioner's date of birth was initially entered as 14.03.1965 at the time of his entry into Government service in the year 2004. It is also undisputed fact that on 05.09.2008, within a period of five years from the date of his entry into service, the petitioner made a representation seeking alteration of his date of birth by enclosing the birth certificate issued by the Arakkonam Municipality. However, the said representation has not been considered till the year 2022. Therefore, the petitioner filed a writ petition in W.P No. 19718 of 2017, and this Court, by order dated 21.09.2022, issued a direction to the 2nd respondents to furnish all the available particulars to the



competent authority for the purpose of conducting an enquiry under Rule 49, who in turn has to conduct an enquiry and submit a report, enabling the respondents to consider the case of the writ petitioner and file a report. Pursuant to which, the revenue authority submitted a report stating that the petitioner's actual date of birth is 14.03.1966, which fact has been admitted by the respondents in their counter affidavit. Hence, there is no legal impediment to alter the petitioner's date of birth.

6. Accordingly, there shall be a direction to the respondents to alter the petitioner's date of birth and reinstate him in service, permitting him to continue in service till 31.03.2026. The period from 31.05.2025 till the date of reinstatement shall be treated as non-duty without back wages, however, the said period shall be reckoned for the purpose of pensionary and other terminal benefits. The petitioner shall not be entitled to the wages for the said period. Consequently, connected miscellaneous petitions are closed.

20-01-2026

Index: Yes/No

(2/2)

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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School Education Department,
Secretariat, Chennai-9
2. The Director
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College Road, DPI Campus,
Chennai-6
3. The Joint Director of
School Education Department (Paniyalar
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M.DHANDAPANI, J.

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